

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Braden J. Heider
Debtor(s)

Bankruptcy Case No.: 19-70277-JAD
Issued Per 1/30/2020 Proceeding
Chapter: 13
Docket No.: 34 – 18, 31
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 6/10/2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$912 as of 2/2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim of Quicken Loans Inc. (Claim No. 5) shall govern, and then following all allowed post-petition payment change notices filed of record.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: February 3, 2020

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Braden J. Heider
 Debtor

Case No. 19-70277-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: esci
 Form ID: 149

Page 1 of 2
 Total Noticed: 28

Date Rcvd: Feb 03, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 05, 2020.

db
 15048428 +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 15048429 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)
 15048432 +Capital One/boscovs, Po Box 4274, Reading, PA 19606-0674
 15068575 +Carol Ann Young & Associates, 530 N Center Ave, Somerset, PA 15501-1484
 15048433 +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
 15048434 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 15048435 +Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
 15048438 +Fifth Third Bank, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
 15058306 +Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
 15048439 +First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
 15068583 +Foundation Radiology Group, 401 Liberty Ave, Pittsburgh, PA 15222-1000
 15065334 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., JPMC,
 c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
 15048443 +Jstc Employees Fcu, 969 Eisenhower Blvd Ste, Johnstown, PA 15904-3326
 15048444 +Mohela/dept Of Ed, 633 Spirit Drive, Chesterfield, MO 63005-1243
 15048447 +Sears/cbna, Po Box 6283, Sioux Falls, SD 57117-6283
 15068592 +Somerset Hospital, 225 S Center Street, Somerset, PA 15501-2088
 15050349 +US Department of Education/MOHELA, 633 Spirit Dr, Chesterfield, MO 63005-1243

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 04 2020 03:52:50
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15048430 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 04 2020 03:52:46
 Capital One Bank Usa N, 15000 Capital One Dr, Richmond, VA 23238
 15048431 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 04 2020 03:54:15 Capital One, N.a.,
 Po Box 30273, Salt Lake City, UT 84130-0273
 15048436 +E-mail/Text: mrdiscen@discover.com Feb 04 2020 03:56:41 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316
 15048442 +E-mail/Text: cio.bncmail@irs.gov Feb 04 2020 03:56:49 Internal Revenue Service,
 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
 15085377 E-mail/PDF: resurgentbknottifications@resurgent.com Feb 04 2020 03:53:39 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15048445 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Feb 04 2020 03:57:10 PA Department of Revenue,
 Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0496
 15048446 +E-mail/Text: bankruptcyteam@quickenloans.com Feb 04 2020 03:57:37 Quicken Loans,
 1050 Woodward Ave, Detroit, MI 48226-1906
 15074644 +E-mail/Text: bankruptcyteam@quickenloans.com Feb 04 2020 03:57:37 Quicken Loans Inc.,
 635 Woodward Avenue, Detroit, MI 48226-3408
 15049699 +E-mail/PDF: gecsed@recoverycorp.com Feb 04 2020 03:53:21 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr
 Quicken Loans Inc.
 15068570* +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 15068593* +Amex, Po Box 297871, Fort Lauderdale, FL 33329-7871
 15048437* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Fia Card Services, Po Box 982238, El Paso, TX 79998)
 15068580* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Fia Card Services, Po Box 982238, El Paso, TX 79998)
 15068603* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Fia Card Services, Po Box 982238, El Paso, TX 79998)
 15068571* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)
 15068594* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank Of America, Po Box 982238, El Paso, TX 79998)
 15068572* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,
 Richmond, VA 23238)
 15068595* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One Bank Usa N, 15000 Capital One Dr,
 Richmond, VA 23238)
 15068573* +Capital One, N.a., Po Box 30273, Salt Lake City, UT 84130-0273
 15068596* +Capital One, N.a., Po Box 30273, Salt Lake City, UT 84130-0273
 15068574* +Capital One/boscovs, Po Box 4274, Reading, PA 19606-0674
 15068597* +Capital One/boscovs, Po Box 4274, Reading, PA 19606-0674
 15068598* +Carol Ann Young & Associates, 530 N Center Ave, Somerset, PA 15501-1484
 15068576* +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
 15068599* +Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
 15068577* +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 15068600* +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 15068578* +Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217

District/off: 0315-7

User: esci
Form ID: 149

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Total Noticed: 28

Date Rcvd: Feb 03, 2020

***** BYPASSED RECIPIENTS (continued) *****

15068601* +Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15068579* +Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
15068602* +Discover Fin Svcs Llc, Po Box 15316, Wilmington, DE 19850-5316
15068581* +Fifth Third Bank, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
15068604* +Fifth Third Bank, 5050 Kingsley Dr, Cincinnati, OH 45227-1115
15068582* +First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
15068605* +First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
15068606* +Foundation Radiology Group, 401 Liberty Ave, Pittsburgh, PA 15222-1000
15048440* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
15068584* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
15068607* +Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
15068586* +Internal Revenue Service, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
15068609* +Internal Revenue Service, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
15048441* Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
15068585* Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
15068608* Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
15066199* +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., JPMC,
c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
15068587* +Jstc Employees Fcu, 969 Eisenhower Blvd Ste, Johnstown, PA 15904-3326
15068610* +Jstc Employees Fcu, 969 Eisenhower Blvd Ste, Johnstown, PA 15904-3326
15068588* +Mohela/dept Of Ed, 633 Spirit Drive, Chesterfield, MO 63005-1243
15068611* +Mohela/dept Of Ed, 633 Spirit Drive, Chesterfield, MO 63005-1243
15068589* PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0496
15068612* PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0496
15068590* +Quicken Loans, 1050 Woodward Ave, Detroit, MI 48226-1906
15068613* +Quicken Loans, 1050 Woodward Ave, Detroit, MI 48226-1906
15068591* +Sears/cbna, Po Box 6283, Sioux Falls, SD 57117-6283
15068614* +Sears/cbna, Po Box 6283, Sioux Falls, SD 57117-6283
15068615* +Somerset Hospital, 225 S Center Street, Somerset, PA 15501-2088

TOTALS: 1, * 47, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 05, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 3, 2020 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Quicken Loans Inc. bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr. on behalf of Debtor Braden J. Heider ecf@mcelrathlaw.com,
donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 4